

2009 DRAFTING REQUEST

Bill

Received: **11/14/2008**

Received By: **emueller**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 266-1039**

By/Representing: **Byrnes**

This file may be shown to any legislator: **NO**

Drafter: **emueller**

May Contact:

Addl. Drafters:

Subject: **Transportation - mass trnst/rail**

Extra Copies: **ARG**

Submit via email: **NO**

Pre Topic:

DOA:.....Byrnes, BB0215 -

Topic:

Mass transit operating assistance increases.

Instructions:

See attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|------------------------|------------------------|-----------------------|----------------|-----------------------|-----------------|-----------------|
| /? | | | | _____ | | | S&L |
| /1 | emueller 11/20/2008 | csicilia 11/21/2008 | mduchek 11/21/2008 | _____ | cduerst 11/21/2008 | | S&L |
| /2 | emueller 01/29/2009 | csicilia 01/29/2009 | phenry 01/29/2009 | _____ | lparisi 01/29/2009 | | |

FE Sent For:

<END>

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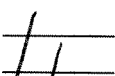
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|--------------|------------------------|------------------------|-----------------------|---|----------------------|-----------------|-----------------|
| /? | | | | | | | S&L |
| /1 | emueller 11/20/2008 | csicilia 11/21/2008 | mduchek 11/21/2008 |  | cdurst 11/21/2008 | | |

/2 *Emm 1/29/09*

FE Sent For:

*1/29
09*

bg ph
<END>
[signature]

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| /? | emueller | 11/21 | gjs | | | | |
| /1 | Em 4/20 | 08 | / | | | | |

FE Sent For:

<END>

2009-11 Budget Bill Statutory Language Drafting Request

- Topic: Transit Aid Increases
- Tracking Code: BB0215
- SBO team: Tax, Transportation and Budget Development Team
- SBO analyst: Tyler Byrnes
 - Phone: 266-1039
 - Email: tyler.byrnes@wisconsin.gov
- Agency acronym: DOT
- Agency number: 395
- Priority (Low, Medium, High): Medium

Intent: Please prepare a draft that specifies the calendar year amounts to be used for aid calculations as follows:

1. Amend s. 85.20(4m)(a)6.cm. to specify that the aid amount for calendar year 2010 is \$67,258,200 and \$69,275,900 for calendar year 2011 and delete references to calendar year 2006 and 2007 aid amounts.
2. Amend s. 85.20(4m)(a)6.d. to specify that the aid amount for calendar year 2010 is \$17,673,200 and \$18,203,400 for calendar year 2011 and delete references to calendar year 2006 and 2007 aid amounts.
3. Amend s. 85.20(4m)(a)7.b. to specify that the aid amount for calendar year 2010 is \$25,352,900 and \$26,113,500 for calendar year 2011 and delete references to calendar year 2006 and 2007 aid amounts.
4. Amend s. 85.20(4m)(a)8.b. to specify that the aid amount for calendar year 2010 is \$5,739,000 and \$5,911,200 for calendar year 2011 and delete references to calendar year 2006 and 2007 aid amounts.

**Department of Transportation
2009-2011 Biennial Budget Request
STATUTORY MODIFICATIONS**

DIN NUMBER: 5104

TOPIC: Transit Aid Increases

DESCRIPTION OF CHANGE:

1. Specify the calendar year amounts to be used for aid calculations:
 - a. Amend s. 85.20(4m)(a)6.cm., Wis. Stats., to specify that the aid amount in CY 10 is \$67,258,200 and \$69,275,900 in CY 11 and thereafter and delete references to CY 06 and CY 07 aid amounts.
 - b. Amend s. 85.20(4m)(a)6.d., Wis. Stats., to specify that the aid amount in CY 10 is \$17,673,200 and \$18,203,400 in CY 11 and thereafter and delete references to CY 06 and CY 07 aid amounts.
 - c. Amend s. 85.20(4m)(a)7.b., Wis. Stats., to specify that the aid amount in CY 10 is \$25,352,900 and \$26,113,500 in CY 11 and thereafter and delete references to CY 06 and CY 07 aid amounts.
 - d. Amend s. 85.20(4m)(a)8.b., Wis. Stats., to specify that the aid amount in CY 10 is \$5,739,000 and \$5,911,200 in CY 11 and thereafter and delete references to CY 06 and CY 07 aid amounts.

JUSTIFICATION:

The statutory changes requested above represent the Department's requested increases in transit operating aids funding to fully fund CY 09 aids and provide CY inflationary increases of 3.0% for CY 10 and CY 11 as well as deletion of outdated provisions.

Mueller, Eric

From: Byrnes, Tyler - DOA [Tyler.Byrnes@wisconsin.gov]
Sent: Wednesday, November 19, 2008 10:51 AM
To: Mueller, Eric
Subject: RE: Drafting Request

Allow the "and thereafter" language to remain. We only want to change the dollar amounts and years addressed.

Thanks

Tyler

From: Mueller, Eric [mailto:Eric.Mueller@legis.wisconsin.gov]
Sent: Tuesday, November 18, 2008 11:29 AM
To: Byrnes, Tyler - DOA
Subject: Drafting Request

Mr. Byrnes,

I would like to request a minor clarification regarding the drafting request for transit aid increases (BB0215). The sections affected by this draft in s. 85.20(4m)(a) currently continue the aid amount for the final specified year into the future. For example, in s. 85.20(4m)(a)6.cm., the statute provides "... \$65,299,200 for aid payable for calendar year 2009 and thereafter". The budget request from DOT appears to request that the "and thereafter" language be retained. The DOA form, however, does not explicitly mention the "and thereafter" language. When you have an opportunity, please let me know whether you intend to remove the "and thereafter" language or to simply change the dollar amounts and years addressed in the statute. Thanks.

Eric Mueller
Attorney, Legislative Reference Bureau
Phone: (608)261-7032
eric.mueller@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0812/?

EVM:.....

Note

RMR

DOA:.....Byrnes, BB0215 - Mass transit operating assistance increases.

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

In 11/20

SA ✓
+ ref ✓

Do NOT Gen

1 AN ACT ...; relating to: the budget

Analysis by the Legislative Reference Bureau

TRANSPORTATION ✓

TRANSPORTATION AIDS ✓

system

Under current law, DOT provides state aid payments to local public bodies in urban areas served by mass transit systems to assist the local public bodies with the expenses of operating those systems. There are four classes of mass transit systems and the total amount of state aid payments to each class of mass transit system is limited to a specified amount in each calendar year.

This bill maintains or increases the total amount of state aid payments to each class of mass transit as follows:

1. For a mass transit system having annual operating expenses in excess of \$80,000,000, the bill maintains the current limit of \$63,784,700 in calendar year 2008 and \$65,299,200 in calendar year 2009 and increases the limit to \$67,258,200 in calendar year 2010 and \$69,275,900 in calendar year 2011 and thereafter.

2. For a mass transit system having annual operating expenses of at least \$20,000,000 but less than \$80,000,000, the bill maintains the current limit of \$16,754,000 in calendar year 2008 and \$17,158,400 in calendar year 2009 and increases the limit to \$17,673,200 in calendar year 2010 and \$18,203,400 in calendar year 2011 and thereafter.

3. For mass transit systems serving urban areas having a population of at least 50,000 but having annual operating expenses of less than \$20,000,000, the bill

over

no more

maintains the current limit of \$24,034,400 in calendar year 2008 and \$24,614,500 in calendar year 2009 and increases the limit to \$25,352,900 in calendar year 2010 and \$26,113,500 in calendar year 2011 and thereafter.

4. For mass transit systems serving urban areas having a population of less than 50,000, the bill maintains the current limit of \$5,440,500 in calendar year 2008 and \$5,571,800 in calendar year 2009 and increases the limit to \$5,739,000 in calendar year 2010 and \$5,911,200 in calendar year 2011 and thereafter.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

2 85.20 (4m) (a) 6. cm. From the appropriation under s. 20.395 (1) (ht), the
3 department shall pay ~~\$57,948,000 for aid payable for calendar year 2006,~~
4 ~~\$59,107,000 for aid payable for calendar year 2007,~~ \$63,784,700 for aid payable for
5 calendar year 2008, and \$65,299,200 for aid payable for calendar year 2009,
6 \$67,258,200 for aid payable for calendar year 2010, and \$69,275,900 for aid payable
7 for calendar year 2011 and thereafter, to the eligible applicant that pays the local
8 contribution required under par. (b) 1. for an urban mass transit system that has
9 annual operating expenses in excess of \$80,000,000. If the eligible applicant that
10 receives aid under this subd. 6. cm. is served by more than one urban mass transit
11 system, the eligible applicant may allocate the aid between the urban mass transit
12 systems in any manner the eligible applicant considers desirable.

History: 1973 c. 90, 333; 1975 c. 39; 1977 c. 29; 1979 c. 34 ss. 911p, 911r, 2102 (52) (a); 1979 c. 110 s. 60 (11); 1981 c. 20 ss. 1202 to 1207, 1232 to 1233; Stats. 1981 s. 85.20; 1983 a. 27; 1985 a. 29; 1987 a. 27, 399; 1989 a. 31; 1991 a. 39, 239; 1993 a. 16, 279; 1995 a. 113, 201; 1997 a. 27; 1999 a. 9; 1999 a. 150 ss. 626, 672; 2001 a. 4, 16, 38; 2003 a. 33; 2005 a. 25; 2007 a. 20.

13 **SECTION 2.** 85.20 (4m) (a) 6. d. of the statutes is amended to read:

14 85.20 (4m) (a) 6. d. From the appropriation under s. 20.395 (1) (hu), the
15 department shall pay ~~\$15,470,200 for aid payable for calendar year 2006,~~
16 ~~\$15,779,600 for aid payable for calendar year 2007,~~ \$16,754,000 for aid payable for

1 calendar year 2008, and \$17,158,400 for aid payable for calendar year 2009,
2 \$17,673,200 for aid payable for calendar year 2010, and \$18,203,400 for aid payable
3 for calendar year 2011 and thereafter, to the eligible applicant that pays the local
4 contribution required under par. (b) 1. for an urban mass transit system that has
5 annual operating expenses in excess of \$20,000,000 but less than \$80,000,000. If the
6 eligible applicant that receives aid under this subd. 6. d. is served by more than one
7 urban mass transit system, the eligible applicant may allocate the aid between the
8 urban mass transit systems in any manner the eligible applicant considers desirable.

History: 1973 c. 90, 333; 1975 c. 39; 1977 c. 29; 1979 c. 34 ss. 911p, 911r, 2102 (52) (a); 1979 c. 110 s. 60 (11); 1981 c. 20 ss. 1202 to 1207, 1232 to 1233; Stats. 1981 s. 85.20; 1983 a. 27; 1985 a. 29; 1987 a. 27, 399; 1989 a. 31; 1991 a. 39, 239; 1993 a. 16, 279; 1995 a. 113, 201; 1997 a. 27; 1999 a. 9; 1999 a. 150 ss. 626, 672; 2001 a. 4, 16, 38; 2003 a. 33; 2005 a. 25; 2007 a. 20.

9 **SECTION 3.** 85.20 (4m) (a) 7. b. of the statutes is amended to read:

10 85.20 (4m) (a) 7. b. For the purpose of making allocations under subd. 7. a., the
11 amounts for aids are ~~\$22,192,800 in calendar year 2006, \$22,636,700 in calendar~~
12 ~~year 2007,~~ \$24,034,400 in calendar year 2008, and \$24,614,500 in calendar year
13 2009, \$25,352,900 in calendar year 2010, and \$26,113,500 in calendar year 2011 and
14 thereafter. These amounts, to the extent practicable, shall be used to determine the
15 uniform percentage in the particular calendar year.

History: 1973 c. 90, 333; 1975 c. 39; 1977 c. 29; 1979 c. 34 ss. 911p, 911r, 2102 (52) (a); 1979 c. 110 s. 60 (11); 1981 c. 20 ss. 1202 to 1207, 1232 to 1233; Stats. 1981 s. 85.20; 1983 a. 27; 1985 a. 29; 1987 a. 27, 399; 1989 a. 31; 1991 a. 39, 239; 1993 a. 16, 279; 1995 a. 113, 201; 1997 a. 27; 1999 a. 9; 1999 a. 150 ss. 626, 672; 2001 a. 4, 16, 38; 2003 a. 33; 2005 a. 25; 2007 a. 20.

16 **SECTION 4.** 85.20 (4m) (a) 8. b. of the statutes is amended to read:

17 85.20 (4m) (a) 8. b. For the purpose of making allocations under subd. 8. a., the
18 amounts for aids are ~~\$5,023,600 in calendar year 2006, \$5,124,100 in calendar year~~
19 ~~2007,~~ \$5,440,500 in calendar year 2008, and \$5,571,800 in calendar year 2009,
20 \$5,739,000 in calendar year 2010, and \$5,911,200 in calendar year 2011 and

1 thereafter. These amounts, to the extent practicable, shall be used to determine the
2 uniform percentage in the particular calendar year.

History: 1973 c. 90, 333; 1975 c. 39; 1977 c. 29; 1979 c. 34 ss. 911p, 911r, 2102 (52) (a); 1979 c. 110 s. 60 (11); 1981 c. 20 ss. 1202 to 1207, 1232 to 1233; Stats. 1981 s. 85.20; 1983 a. 27; 1985 a. 29; 1987 a. 27, 399; 1989 a. 31; 1991 a. 39, 239; 1993 a. 16, 279; 1995 a. 113, 201; 1997 a. 27; 1999 a. 9; 1999 a. 150 ss. 626, 672; 2001 a. 4, 16, 38; 2003 a. 33; 2005 a. 25; 2007 a. 20.

3

(END)

DNote

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0812/?dn

EVM:./:....
✓
gs

ATTN: Tyler Byrnes

This draft does not fix the glitch under current law whereby a mass transit system with operating expenses of exactly \$80,000,000 is not eligible for aid payments under s. 85.20 (4m) (a) 6. cm. or d. ✓

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0812/1dn
EVM:cjs:md

November 21, 2008

ATTN: Tyler Byrnes

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Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

12
LRB-0812/1

EVM:cjs:md

stays

DOA:.....Byrnes, BB0215 - Mass transit operating assistance increases.

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

In 1/29

RMR

Do NOT Go

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

TRANSPORTATION AIDS

Under current law, DOT provides state aid payments to local public bodies in urban areas served by mass transit systems to assist the local public bodies with the expenses of operating those systems. There are four classes of mass transit systems and the total amount of state aid payments to each class of mass transit system is limited to a specified amount in each calendar year.

This bill maintains or increases the total amount of state aid payments to each class of mass transit system as follows:

0 or more 1. For mass transit systems having annual operating expenses in excess of \$80,000,000, the bill maintains the current limit of \$63,784,700 in calendar year 2008 and \$65,299,200 in calendar year 2009 and increases the limit to \$67,258,200, \$68,583,200 in calendar year 2010 and \$69,275,900 in calendar year 2011 and thereafter.

\$17,496,400 2. For mass transit systems having annual operating expenses of over \$20,000,000 but less than \$80,000,000, the bill maintains the current limit of \$16,754,000 in calendar year 2008 and \$17,158,400 in calendar year 2009 and increases the limit to \$17,673,200 in calendar year 2010 and \$18,203,400 in calendar year 2011 and thereafter. \$18,021,200

3. For mass transit systems serving urban areas having a population of at least 50,000 but having annual operating expenses of no more than \$20,000,000, the bill

maintains the current limit of \$24,034,400 in calendar year 2008 and \$24,614,500 in calendar year 2009 and increases the limit to \$25,352,900 in calendar year 2010 ^{\$25,099,500} and \$26,113,500 in calendar year 2011 and thereafter. ^{\$25,152,500}

4. For mass transit systems serving urban areas having a population of less than 50,000, the bill maintains the current limit of \$5,440,500 in calendar year 2008 and \$5,571,800 in calendar year 2009 and increases the limit to \$5,739,000 in calendar year 2010 and \$5,911,200 in calendar year 2011 and thereafter. ^{\$5,681,600}

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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21 uniform percentage in the particular calendar year.

22 (END)

Mueller, Eric

From: Byrnes, Tyler - DOA [Tyler.Byrnes@wisconsin.gov]
Sent: Thursday, January 29, 2009 9:55 AM
To: Mueller, Eric
Subject: RE: Draft 0812/1 - Transit operating aids

It should fall under s. 85.20(4m)(a)6.cm.

Thanks, Tyler

From: Mueller, Eric [mailto:Eric.Mueller@legis.wisconsin.gov]
Sent: Thursday, January 29, 2009 9:53 AM
To: Byrnes, Tyler - DOA
Subject: RE: Draft 0812/1 - Transit operating aids

Would you like a system with operating expenses of exactly \$80,000,000 to fit under s. 85.20(4m)(a)6.cm or s. 85.20(4m)(a)6.d.?

From: Byrnes, Tyler - DOA [mailto:Tyler.Byrnes@wisconsin.gov]
Sent: Wednesday, January 28, 2009 4:14 PM
To: Mueller, Eric
Subject: Draft 0812/1 - Transit operating aids

Eric,

Could you change the numbers in this draft, and make the fix so that a system with operating expenses of exactly \$80,000,000 would be eligible for transit aids?

(1)ht –
CY10 = \$66,585,600
CY11 = \$68,583,200

(1)hu
CY10 = \$17,496,400
CY11 = \$18,021,300

Section 3

CY10 = \$25,099,500
CY11 = \$25,852,500

Section 4

CY10 = \$5,681,600
CY11 = \$5,852,200

Thanks,

Tyler

1/29/2009



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0812/2

EVM:cjs:ph

DOA:.....Byrnes, BB0215 - Mass transit operating assistance increases.

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

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TRANSPORTATION AIDS

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This bill maintains or increases the total amount of state aid payments to each class of mass transit system as follows:

1. For mass transit systems having annual operating expenses of \$80,000,000 or more, the bill maintains the current limit of \$63,784,700 in calendar year 2008 and \$65,299,200 in calendar year 2009 and increases the limit to \$66,585,600 in calendar year 2010 and \$68,583,200 in calendar year 2011 and thereafter.

2. For mass transit systems having annual operating expenses of over \$20,000,000 but less than \$80,000,000, the bill maintains the current limit of \$16,754,000 in calendar year 2008 and \$17,158,400 in calendar year 2009 and increases the limit to \$17,496,400 in calendar year 2010 and \$18,021,300 in calendar year 2011 and thereafter.

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maintains the current limit of \$24,034,400 in calendar year 2008 and \$24,614,500 in calendar year 2009 and increases the limit to \$25,099,500 in calendar year 2010 and \$25,852,500 in calendar year 2011 and thereafter.

4. For mass transit systems serving urban areas having a population of less than 50,000, the bill maintains the current limit of \$5,440,500 in calendar year 2008 and \$5,571,800 in calendar year 2009 and increases the limit to \$5,681,600 in calendar year 2010 and \$5,852,200 in calendar year 2011 and thereafter.

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8 **SECTION 3.** 85.20 (4m) (a) 7. b. of the statutes is amended to read:

9 85.20 (**4m**) (a) 7. b. For the purpose of making allocations under subd. 7. a., the
10 amounts for aids are ~~\$22,192,800 in calendar year 2006, \$22,636,700 in calendar~~
11 ~~year 2007,~~ \$24,034,400 in calendar year 2008, and \$24,614,500 in calendar year
12 2009, \$25,099,500 in calendar year 2010, and \$25,852,500 in calendar year 2011 and
13 thereafter. These amounts, to the extent practicable, shall be used to determine the
14 uniform percentage in the particular calendar year.

15 **SECTION 4.** 85.20 (4m) (a) 8. b. of the statutes is amended to read:

16 85.20 (**4m**) (a) 8. b. For the purpose of making allocations under subd. 8. a., the
17 amounts for aids are ~~\$5,023,600 in calendar year 2006, \$5,124,100 in calendar year~~
18 ~~2007,~~ \$5,440,500 in calendar year 2008, and \$5,571,800 in calendar year 2009,
19 \$5,681,600 in calendar year 2010, and \$5,852,200 in calendar year 2011 and
20 thereafter. These amounts, to the extent practicable, shall be used to determine the
21 uniform percentage in the particular calendar year.

22 (END)